

PLEA: Guilty.

DISPOSITION: 12-9-60. \$200 fine and probation for 2 years.

6418. (F.D.C. No. 43668. S. Nos. 29-383/4 P.)

INFORMATION FILED: 12-14-60, N. Dist. Tex., against John M. Rippetoe, t/a City Pharmacy, Bangs, Tex.

CHARGE: On 1-15-59, *Aristocort tablets* and *penicillin G potassium tablets* were each dispensed once without a prescription.

PLEA: Guilty.

DISPOSITION: 1-9-61. \$1,000 fine, 6 months imprisonment suspended, and probation for 6 months.

6419. (F.D.C. No. 44299. S. Nos. 73-350/1 P.)

INFORMATION FILED: 5-4-60, E. Dist. N.Y., against Alexander Lobel, t/a Alexander Lobel Pharmacy, Jamaica, N.Y.

CHARGE: Between 6-30-59 and 7-6-59, *Miltown tablets* were dispensed twice without a prescription.

PLEA: Guilty.

DISPOSITION: 3-30-61. \$1,000 fine.

6420. (F.D.C. No. 44660. S. No. 46-277 P.)

INFORMATION FILED: 1-3-61, S. Dist. Tex., against Grady W. Black, t/a Black's Ridgcrest Pharmacy, Bryan, Tex.

CHARGE: On 5-19-59, *secobarbital sodium capsules* were dispensed once upon request for a prescription refill without authorization by the prescriber.

PLEA: Guilty.

DISPOSITION: 3-6-61. \$300 fine.

INDEX TO NOTICES OF JUDGMENT D.D.N.J. NOS. 6401 TO 6420

PRODUCTS

N.J. No.	N.J. No.
Amphetamine, dextro-, sulfate tablets----- 6404, ¹ 6409-6411	Dextro-amphetamine sulfate tablets----- 6404, ¹ 6409-6411
sulfate and amphetamine sulfate, capsules contain- ing a mixture of----- 6404	and amphetamine sulfate, capsules containing a mixture of----- 6404
sulfate capsules----- 6407	Doriden tablets----- 6416
tablets----- 6401-6410	Equanil tablets----- ¹ 6415
and phenobarbital, tablets containing----- ¹ 6411	Miltown tablets----- 6419
Aristocort tablets----- 6418	Penicillin G potassium tablets-- 6418
Desoxyephedrine hydrochloride tablets----- 6417	Pentids tablets----- ¹ 6415
Dexedrine Sulfate tablets-- ¹ 6412-6415	Phenobarbital tablets----- ¹ 6415
	Secobarbital sodium capsules-- 6420
	Seconal Sodium capsules--- 6413, 6414

¹ (6411, 6415) Prosecution contested.

U.S. Department of Health, Education, and Welfare**FOOD AND DRUG ADMINISTRATION****NOTICES OF JUDGMENT UNDER THE FEDERAL FOOD,
DRUG, AND COSMETIC ACT**

[Given pursuant to section 705 of the Food, Drug, and Cosmetic Act]

6421-6440

DRUGS AND DEVICES

The cases reported herewith were instituted in the United States district courts by United States attorneys, acting upon reports submitted by the Department of Health, Education, and Welfare. They involve drugs and devices which were adulterated or misbranded within the meaning of the Act when introduced into and while in interstate commerce, or while held for sale after shipment in interstate commerce. These cases involve seizure proceedings in which decrees of condemnation were entered after default, consent, or motion for summary judgment. The seizure proceedings are civil actions taken against the *goods* alleged to be in violation.

Published by direction of the Secretary of Health, Education, and Welfare.

GEO. P. LARRICK, *Commissioner of Food and Drugs.*

WASHINGTON, D.C., August 25, 1961.

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*For presence of a habit-forming substance without warning statements, see No. 6422; omission of, or unsatisfactory, ingredients statements, Nos. 6423, 6426; failure to bear a label containing an accurate statement of the quantity of the contents, Nos. 6423, 6438; failure to bear a label containing the name and place of business of the manufacturer, packer, or distributor, Nos. 6423, 6436; cosmetics, actionable under the drug provisions of the Act, Nos. 6426, 6438.

**SECTIONS OF FEDERAL FOOD, DRUG, AND COSMETIC ACT INVOLVED IN
VIOLATIONS REPORTED IN D.D.N.J. NOS. 6421-6440**

Adulteration, Section 501(b), the article purported to be and was represented as a drug, the name of which is recognized in an official compendium (United States Pharmacopoeia), and its strength differed from the standard set forth in such compendium; Section 501(c), the article was not subject to the provisions of Section 501(b), and its strength differed from, or its purity or quality fell below, that which it purported or was represented to possess.

Misbranding, Section 502(a), the labeling of the article was false and misleading; Section 502(b), the article was in package form, and it failed to bear a label containing (1) the name and place of business of the manufacturer, packer, or distributor, and (2) an accurate statement of the quantity of the contents; Section 502(e), the article was a drug not designated solely by a name recognized in an official compendium, and its label failed to bear (1) the common or usual name of the drug, and (2), in the case where the article was fabricated from two or more ingredients, the common or usual name of each active ingredient; Section 502(f), the labeling of the article failed to bear (1) adequate directions for use, and (2) such adequate warnings against use in those pathological conditions or by children where its use may be dangerous to health, or against unsafe dosage or methods or duration of administration or application, in such manner and form, as are necessary for the protection of users; Section 503(b)(4), the article was a drug subject to Section 503(b)(1), and its label failed to bear the statement "Caution: Federal law prohibits dispensing without prescription."

New-drug violation, Section 505(a), the article was a new drug within the meaning of Section 201(p), which was introduced into interstate commerce, and an application filed pursuant to Section 505(b) was not effective with respect to such drug.

NEW DRUGS SHIPPED WITHOUT EFFECTIVE APPLICATION

6421. Complex Z.A. (F.D.C. No. 44848. S. No. 32-875 R.)

QUANTITY: 29 ctns., 10 ampuls each, at New York, N.Y.

SHIPPED: During April 1960, from London, England, by Multipax Chemicals, Ltd.

LABEL IN PART: (Ctn.) "10 x 2.2 ml. Ampoules Complex Z.A. Each ampoule contains 2.2 ml. sterile aqueous solution of Zinc-Magnesium-Ascorbic Acid complexes equivalent to: Zinc Oxid. B.P. 1.85 mg. Mag. Chlorid. B.P.C. 3.00 mg. Acid. Ascorbic B.P. 30.00 mg. in 1 ml. Batch No. 108 * * * Edenhall Pharmaceutical Laboratories, Ltd. Sole Distributors: Multipax Chemicals Limited 142-146, Larkhall Lane, London, S.W. 4."

ACCOMPANYING LABELING: Leaflet in each carton entitled "To The Medical Profession Only * * * a new form of treatment in inoperable Neoplasm" and booklets entitled "To the Medical Profession Only Introducing 'Complex Z.A.' as a New Treatment for Inoperable Malignancy . . ."

LIBELED: 8-18-60, S. Dist. N.Y.